



# *Arizona Peace Officer Standards and Training Board*

2643 East University Drive Phoenix, Arizona 85034-6914 Phone (602) 223-2514

## **MINUTES OF THE FEBRUARY 16, 2022 MEETING OF THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD PHOENIX, ARIZONA**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on February 16, 2022, at the Arizona Peace Officer Standards and Training Board, located at 2643 E. University Drive, Phoenix, AZ.

### Members Present (in person):

Sheriff Mark Dannels, Cochise County Sheriff's Office, Chairman  
Assistant Attorney General John Johnson, representing Attorney General Mark Brnovich  
Ms. Jamie Kelly, Public Member  
Deputy Director Joe Profiri, representing Director David Shinn, AZ Department of Corrections  
Rehabilitation & Reentry  
Professor Kevin Robinson, Arizona State University  
Colonel Heston Silbert, AZ Department of Public Safety  
Chief Chris Vasquez, Eloy Police Department  
Chief Jeri Williams, Phoenix Police Department

### Members Present (via online video/telephone conferencing):

Commander Matthew Figueroa, Jail Commander, Coconino County Sheriff's Office  
Ms. Leesa B. Weisz, Public Member

### Staff in Attendance (in person):

Matt Giordano, Executive Director  
Ben Henry, Deputy Director  
Michele Blanco, Compliance Specialist  
Richard Bradshaw, Compliance Specialist  
William Caldwell, Compliance Specialist  
Amanda Faust, Advanced Training Program Administrator  
Mike Giammarino, Compliance Program Administrator  
Arlene Heckel, Compliance Specialist  
Darcy Nichols, Compliance Specialist  
Mike Orose, Compliance Program Administrator  
Cindy Sawyer, Compliance Specialist  
Rita Mae Schaefer, Administrative Assistant  
Sandy Sierra, Executive Assistant  
Aaron Thomas, Training Specialist  
David Toporek, Compliance Specialist  
Rick VanKeuren, Training Specialist  
Lori Wait, Basic Training Program Administrator  
Dale Wyman, Digital Media Specialist

Staff in Attendance (via online video conferencing):

Mike Deltenre, Compliance Specialist  
Cathy Hawse, Compliance Specialist

Assistant Attorneys General (in person):

Mark Brachtl  
Gino Duran  
Monique Coady

A. Call to Order

Chairman Dannels called the meeting to order at 10:00 a.m. and asked Chief Vasquez to lead everyone in reciting the Pledge of Allegiance.

B. Introductions, Presentations and Announcements

*Matt Giordano, Executive Director*

- Roll Call was taken. Ten Board members are present, eight are here in person and two are participating via telephone/video conferencing. We have three vacant Board positions.
- Assistant Attorney General Monique Coady is the Independent Advisor for all the final action cases.
- Brian Coppens was hired to assist with increasing technology in our IT Department.
- Big thanks to DPS's Human Resources department for their continued assistance with our hiring processes.
- Sean Donegan will be promoted to Program Administrator. Sean oversees public records and those requests have increased tremendously over the past year. He is also overseeing the streamlining of our facility.

C. Executive Director's Report

*Matt Giordano, Executive Director*

- Represented AZPOST at the AACOP last month in Mesa; will attend the Sheriff's Association meeting next week in Chandler; as the West Regional Representative for IADLEST, attended a meeting last week in Washington DC.
- Lori Wait and her team are doing academy inspections throughout the state. At the academy commander's meeting last month, discussion was held regarding academy curriculum, scenario based training was brought up at the meeting. When the Job Task Analysis (JTA) was completed last year, 44 of the 88 lesson plans were updated. What we did not do was look carefully at the number of hours that are actually needed for each lesson plan. The Basic Training Unit will undertake this task and will go through each single lesson plan. In order to accomplish this major undertaking, they will solicit input and feedback from all the academies. They will create subcommittees to go through each lesson plan and determine relevancy, as well as how to imbed scenario based training into the lesson plan. We believe scenario based training is the wave of the future. We have asked several agencies to not only allow their employee to participate in the subcommittee, but if possible to imbed a member of their training team at AZPOST for one year to work on these lesson plans. Greg Redmond, who retired from the Phoenix Police Department and is now with MCSO, has been assigned to AZPOST to work with Lori's team. We believe it is important to listen to our partners and what better way to have input than by having a seat at the table.

- The AZPOST annual report will be out next month. It is important for the Board and our partner agencies to see what has transpired at AZPOST in the last year.
- As the AZPOST lobbyist, I monitor bills at the legislature. HB2133 that would have doubled our CJEF funding did not make it out of the house judiciary committee. There is talk of restructuring the bill before the session ends. HB2349 that would change the makeup of the AZPOST Board to two non-supervisory positions, instead of one deputy and one officer, it could be two deputies or two officers. That bill passed out of the house last week.

D. Consent Agenda

*Mr. Johnson (AAG) recused himself from this matter.*

Professor Robinson made a motion to accept the Consent Agenda. The motion was seconded by Chief Vasquez and passed unanimously.

The following items were approved:

1. Minutes of the Board meeting held on January 19, 2022.
2. Certification Waivers:

Jennifer Nilsson-Lund	AZ Attorney General Office
Ryan Burke	AZ Department of Public Safety
Paul Quintana	Chino Valley Police Department
Maurice McGhie	Glendale Police Department
Melissa Altigieri	Goodyear Police Department
Justin Antholt	Goodyear Police Department
David Mejia	Goodyear Police Department
Richard Carroll	Lake Havasu City Police Department
Sean Guthrie	Maricopa County Sheriff's Office
Christopher Wolnik	Maricopa County Sheriff's Office
Kurtis Nienhardt	Peoria Police Department
Daniel Birt	Scottsdale Police Department
Broox Deatherage	Scottsdale Police Department
Anthony Doreo	Tombstone Marshall Office
Christopher D'Orazio	Wickenburg Police Department

3. Consent Agreements for Voluntary Relinquishment/Denial of Peace Officer Certification. The following individuals, without admitting to any misconduct, requests the Board accept their request to permanently relinquish their Arizona peace officer certification:

David A. Woolley	2020-195	Grand Canyon University PD
Jared Palacios	2021-029	Avondale Police Department
Jordan M. Brown	2021-094	Pinal County Sheriff's Office
Richard M. Coughlin	2021-166	Mohave County Sheriff's Office
Tara M. Belisle	2021-214	Goodyear Police Department
Cody Miller	2022-007	Page Police Department
Steven E. Gilbert	2020-146	Gilbert Police Department

4. Training Audit Deficiencies. The following individuals are deficient in their required annual training for calendar year 2020. The Board shall restrict certified status until the deficiency is corrected:

Houston Aday	San Carlos Recreation and Wildlife
Isaiah K. Anderson	San Carlos Recreation and Wildlife
Zachary S. Ashkie	San Carlos Recreation and Wildlife
Emerson Baylish	San Carlos Recreation and Wildlife
Anthony Duane Jr.	San Carlos Recreation and Wildlife
Jeremiah R. Dude	San Carlos Recreation and Wildlife
Steven Rope Sr.	San Carlos Recreation and Wildlife
Timothy D. Stevens	San Carlos Recreation and Wildlife
Jerald L. Thompson	San Carlos Recreation and Wildlife
Daniel L. Vann	San Carlos Recreation and Wildlife
Jerrell Wilson	San Carlos Recreation and Wildlife

- E. Summary of Current Events Concerning the certification of Pima County Chief Deputy Richard Kastigar. The Board may review, discuss and take possible action.

Executive Director Matt Giordano stated this is a very unusual situation that has not been encountered before. In January of 2021, when Sheriff Nanos was elected sheriff of Pima County, he appointed Richard Kastigar as his chief deputy. Several months into the year, AZPOST realized that Mr. Kastigar had not submitted paperwork to become recertified. He was a prior peace officer and his certification lapsed in 2019. Executive Director Giordano reached out to Sheriff Nanos to ask how AZPOST could assist in getting Mr. Kastigar recertified. To date, nothing has happened, Mr. Kastigar is still not certified and is acting as a chief deputy for the Pima County Sheriff’s Department. There have been multiple conversations with Mr. Kastigar and the sheriff, and Deputy Director Ben Henry has had several conversations with Mr. Kastigar, as well. It has come to the point that the Board needs to be aware of what is going on in Pima County. AZPOST receives complaints on a regular basis from concerned citizens and members of different agencies. We have received several complaints stating Mr. Kastigar is wearing a uniform, carrying a gun, driving a vehicle with lights and sirens and he may or may not have taken some enforcement actions, this is concerning to us. Normal procedures when a complaint is submitted to AZPOST is to refer the complaint to the individual’s hiring authority. If a complaint is received against Sheriff Dannels, it would be referred back to Cochise County. If a complaint is received against Chief Williams, it would be referred back to the City of Phoenix. In this case, all the information AZPOST gathered was hand delivered yesterday to the acting Pima County Administrator. We asked that if and when Pima County looks into this matter, they circle back to AZPOST, as there is still an open case on this matter. Since Mr. Kastigar’s certification lapsed in 2019, the Board has no jurisdiction over him. The Board will not have jurisdiction over him until he is reappointed; to date that has not occurred. Mr. Kastigar informed AZPOST that he will seek recertification. He completed his Personal History Form on-line and he informed us that he has shared it with Pima County, but AZPOST has yet to see anything else. We are 14 months into this administration and the Board needs to be aware of what is going on and what actions we are taking.

Chief Williams inquired as to what recourse the Board has. Board members who are certified needed to complete some type of process for this certification, if Mr. Kastigar is wearing a uniform and the general public is presuming that he is certified, what recourse does the Board have?

Executive Director Giordano stated the Board has no jurisdiction over his certification, so in essence the Board has no recourse. On the Board's behalf, AZPOST is notifying those agencies that could potentially have recourse. AZPOST will continue to monitor this issue and will provide an update when there is more information to share.

Chairman Dannels stated this is alarming. He echoes Chief Williams that those Board members who are certified worked hard to be certified sworn officers to support the rule of law. He wishes this would have been corrected at the first level at the first conversation. He looks forward to feedback on this.

F. Final Action Cases:

1. 2019-190 – Jhonte L. Jones – Mesa Police Department

The Board considered comments from Assistant Attorney General Gino Duran; who provided a brief overview of the proposed consent agreement. Colonel Silbert made a motion to accept the proposed consent agreement for a 40-hour suspension of Mr. Jones' peace officer certification. The suspension shall run concurrently with the 40-hour suspension previously imposed by the Mesa Police Department. The motion was seconded by Ms. Weisz and passed unanimously.

2. 2021-061 – Kory M. Duran – Casa Grande Police Department

The Board considered comments from Compliance Specialist William Caldwell, who provided a brief overview of the case. Chief Vasquez made a motion to accept the Findings of Fact and Conclusions of Law and deny peace officer certification to Mr. Duran. The motion was seconded by Chief Williams and passed unanimously.

3. 2020-085 – Raymond Butler – Gila River Police Department

The Board considered comments from Compliance Specialist Arlene Heckel, who provided a brief overview of the case. Chief Williams made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Butler's peace officer certification. The motion was seconded by Ms. Kelly and passed unanimously.

4. 2020-155 – Michael S. Atondo – AZ Department of Public Safety

*Mr. Johnson (AAG) and Colonel Silbert recused themselves from this case.* The Board considered comments from Compliance Specialist Robin MacIntire, who provided a brief overview of the case. Professor Robinson made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Atondo's peace officer certification. The motion was seconded by Ms. Kelly and passed unanimously.

5. 2021-132 – Christopher M. Bell – AZ Department of Public Safety  
*Colonel Silbert recused himself from this case.* The Board considered comments from Compliance Specialist Robin MacIntire, who provided a brief overview of the case. Chief Vasquez made a motion to accept the Findings of Fact and Conclusions of Law and deny peace officer certification to Mr. Bell. The motion was seconded by Chief Williams and passed unanimously.

G. New Charging Cases:

1. 2019-099 – Brett E. Marsden – Superior Police Department  
The Board considered comments from Compliance Specialist William Caldwell, who provided a brief overview of the case; two short videos were also presented. After review of the videos and the case overview, consideration of statements made by staff, including follow-up questions, Chief Williams made a motion to close this case and Resolve in the Future. The motion was seconded by Colonel Silbert and passed unanimously.
2. 2021-189 – David M. Veath – Ft. McDowell Tribal Police Department  
The Board considered comments from Compliance Specialist William Caldwell, who provided a brief overview of the case; a short video was also presented. Colonel Silbert made a motion to close this case with No Action with Agency Discretion. The motion was seconded by Chief Vasquez and passed unanimously.
3. 2020-024 – Todd J. Ferrin – Phoenix Police Department  
*Chief Williams recused herself from this case.* The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Professor Robinson made a motion to Initiate Proceedings to deny peace officer certification to Mr. Ferrin. The motion was seconded by Ms. Weisz and passed unanimously.
4. 2020-026 – Eric S. Fulton – Phoenix Police Department  
*Chief Williams recused herself from this case.* The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Colonel Silbert made a motion to Initiate Proceedings to deny peace officer certification to Mr. Fulton. The motion was seconded by Chief Vasquez and passed unanimously.
5. 2020-027 – Drake E. Haigh – Phoenix Police Department  
*Chief Williams recused herself from this case.* The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Chief Vasquez made a motion to Initiate Proceedings to deny peace officer certification to Mr. Haigh. The motion was seconded by Mr. Robinson and passed unanimously.
6. 2020-025 – Woodrow L. Hoover – Phoenix Police Department  
*Chief Williams recused herself from this case.* The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case. Professor Robinson made a motion to Initiate Proceedings to deny peace officer certification to Mr. Hoover. The motion was seconded by Ms. Kelly and passed unanimously.

7. 2021-124 – Connor W. Orth-Smith – Phoenix Police Department  
*Chief Williams recused herself from this case.* The Board considered comments from Compliance Specialist Mike Deltenre, who provided a brief overview of the case; a short video was also presented. Discussion ensued concerning questions Colonel Silbert had regarding this case. After consideration of statements made by staff, including follow-up questions, Chief Vasquez made a motion to Initiate Proceedings against Mr. Orth-Smith's peace officer certification. The motion was seconded by Professor Robinson and passed unanimously.
8. 2020-206 – Tyler J. Goddard – AZ Department of Public Safety  
*Colonel Silbert recused himself from this case.* The Board considered comments from Compliance Specialist Arlene Heckel, who provided a brief overview of the case. Chief Williams made a motion to Initiate Proceedings against Mr. Goddard's peace officer certification. The motion was seconded by Mr. Johnson (AAG) and passed unanimously.
9. 2021-145 – Elliana J. Cabrera – Gila County Sheriff's Office  
The Board considered comments from Compliance Specialist Darcy Nichols, who provided a brief overview of the case. Professor Robinson made a motion to Initiate Proceedings against Ms. Cabrera's peace officer certification. The motion was seconded by Colonel Silbert and passed unanimously.
10. 2021-200 – Michael J. Langley – Maricopa County Community College DPS  
The Board considered comments from Compliance Specialist Darcy Nichols, who provided a brief overview of the case. Ms. Kelly made a motion to Initiate Proceedings against Mr. Langley's peace officer certification. The motion was seconded by Chief Williams and passed unanimously.
11. 2021-097 – Michael S. Manos – Tolleson Police Department  
The Board considered comments from Compliance Specialist Darcy Nichols, who provided a brief overview of the case. Chief Williams made a motion to close this case with No Action. The motion was seconded by Chief Vasquez and passed unanimously.
12. 2021-169 – Kelsey A. Morris – Avondale Police Department  
The Board considered comments from Compliance Specialist Darcy Nichols, who provided a brief overview of the case. Professor Robinson made a motion to close this case with No Action with Agency Discretion. The motion was seconded by Deputy Director Profiri. Discussion ensued concerning questions Colonel Silbert had regarding this case. Professor Robinson withdrew his motion. Colonel Silbert made a motion to Initiate Proceedings against Ms. Kelsey's peace officer certification. The motion was seconded by Mr. Johnson (AAG) and passed unanimously.
13. 2021-230 – Zachery D. Schirato – Mesa Police Department  
The Board considered comments from Compliance Specialist Darcy Nichols, who provided a brief overview of the case. Chief Williams made a motion to Initiate Proceedings to deny peace officer certification to Mr. Schirato. The motion was seconded by Ms. Kelly and passed unanimously.

14. 2021-005 – Brian M. Petersen – AZ Department of Public Safety

*Mr. Johnson (AAG) and Colonel Silbert recused themselves from this case.*

*Chief Williams made a motion to go into executive session to hear confidential medical information. The motion was seconded by Chief Vasquez and passed unanimously.*

*The Board went into executive session at 12:06 p.m. and the regular meeting resumed at 12:17 p.m.*

The Board considered comments from Compliance Specialist Richard Bradshaw, who provided a brief overview of the case. Professor Robinson made a motion to Initiate Proceedings against Mr. Petersen’s peace officer certification. The motion was seconded by Chief Vasquez and passed unanimously.

H. Future Agenda Items

Nothing new to add. Just a reminder to the Board that more denial cases will be on future agendas.

I. Adjournment

The meeting was adjourned at 12:18 p.m.